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11 IN THE UNITED STATES DISTRICT COURT

12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13

14	UNITED STATES OF AMERICA,)	
15	v.)	No. CR 11-0344 SBA
16	MARCO SOAREZ,)	STIPULATION AND [PROPOSED]
	Defendant.)	ORDER CONTINUING STATUS AND
)	MOTION SETTING DATE;
)	EXCLUSION OF TIME

17

18 **STIPULATION**

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20 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status and
21 motion setting date with respect to Marco Soarez, currently scheduled for Tuesday, January 24,
22 2012, at 10:00 a.m. before Honorable Saundra Brown Armstrong, may be continued to Tuesday,
23 February 21, 2012, at 10:00 a.m. for status and motion setting. The reason for the continuance is
24 that defense counsel will be in trial starting January 23, 2012, and unavailable on January 24, 2012.
25 A continuance to February 21, 2012, will allow counsel to be present at the status and motion date.

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1 IT IS FURTHER STIPULATED THAT the time from January 24, 2012, to February 21, 2012,
2 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
3 3161(h)(7)(B)(iv) for continuity of counsel.

4 DATED: 1/18/12

5 /s/
6 JOYCE LEAVITT
7 Assistant Federal Public Defender

8 DATED: 1/18/12

9 /s/
10 MAUREEN BESSETTE
11 Assistant United States Attorney

12 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
13 conformed signature (/s/) within this e-filed document.

14 ORDER

15 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that status and motion setting date
16 with respect to Marco Soarez, currently scheduled for Tuesday, January 24, 2012, at 10:00 a.m., is
17 hereby continued to **Tuesday, February 21, 2012, at 10:00 a.m.** for status and motion setting.

18 IT IS FURTHER ORDERED THAT the time from January 24, 2012, to February 21, 2012,
19 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C.
20 §3161(h)(7)(A) and (B)(iv) for continuity of counsel so that defense counsel can be present. The
21 Court finds that there is good cause and that the ends of justice served by the granting of the
22 continuance outweigh the best interests of the public and the defendant in a speedy and public trial
23 and the failure to grant the requested continuance would unreasonably deny counsel the reasonable
24 time necessary for effective preparation, taking into account due diligence.

25 SO ORDERED.

26 DATED: 1-20-12


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge